

## REMARKS

As a preliminary matter, an Information Disclosure Statement was filed on April 15, 2004. Acknowledgement thereof is respectfully requested.

Claims 23-50 are currently pending. Claim 45 stands objected to. Claim 45 has been amended as suggested by the Examiner. The rejection of claim 45 is overcome.


Claims 23-50 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 23-43 of copending U.S. Patent Application Serial No. 10/352,417. Applicants do not agree with the Examiner's rejection, but nevertheless are submitting a Terminal Disclaimer in compliance with 37 C.F.R. 1.321(c), disclaiming the terminal part of any patent granted on this application that extends beyond the expiration date of any patent granted on commonly owned copending U.S. Patent Application Serial No. 10/352,417, to obviate the double patenting rejection. Applicants respectfully submit that the provisional obvious type-double patenting rejection is overcome.

In view of the foregoing, it is respectfully submitted that the pending claims define allowable subject matter. Applicant respectfully requests that the present case pass to allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Dated: August 16, 2004

Respectfully submitted,

  
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